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SECRET/EXCLUSIVELY EYES ONLY

January 5, 1972

TO: Ambassador Porter

FROM: Henry A. Kissinger

REF: Paris 329

In raising issue in reference message, prefer you be less explicit for reasons I will explain at a later date. Suggest you not repeat not imply that only condition for departure of troops is release of POW's or press for an answer on whether Hanoi would accept this without other steps.

Warm regards.

OSD Review Completed
(page 1)

MORI/CDF per C05105170
(page 1) and C03317666
(pages 1-2).

ON-FILE NSC RELEASE INSTRUCTIONS
APPLY

Response dictated by Jon Howe on secure phone -- per HAK instructions.

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TO WHITE HOUSE
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TO THE WHITE HOUSE, EYES ONLY DR. KISSINGER.

I WOULD MUCH APPRECIATE HAVING YOUR VIEW AS SOON AS POSSIBLE AS TO WHETHER FOLLOWING TEXT MAY BE USED IN MY STATEMENT AT TOMORROW'S MEETING. I WOULD FIRST DISCUSS MEANS AVAILABLE WHICH COULD LEAD TO CONSTRUCTIVE NEGOTIATIONS AND WOULD REFER TO PRESIDENT'S PROPOSAL FOR GENERAL CEASEFIRE AND GVN PROPOSAL FOR DIRECT TALKS. THEN COMES THIRD ITEM WHERE I NEED YOUR COMMENTS AND/OR CHANGES.

BEGIN QUOTE. THIRDLY, PRESIDENT NIXON HAS MADE IT CLEAR THAT HIS OBJECTIVE IS TOTAL WITHDRAWAL OF U.S. FORCES FROM SOUTH VIETNAM AND ALMOST 400,000 OF OUR TROOPS HAVE ALREADY DEPARTED. THE PRESIDENT ALSO INDICATED THAT TO COMPLETE THE PROCESS OF WITHDRAWAL, ALL AMERICANS NOW HELD PRISONER IN INDOCHINA MUST LEAVE WITH OUR TROOPS, AND THAT OUR TROOPS WILL NOT ALL LEAVE UNLESS THAT CAN BE AGREED AND IMPLEMENTED. WE HAVE QUESTIONED YOUR SIDE BEFORE AS TO THE CORRECTNESS OF STATEMENTS ATTRIBUTED TO YOU TO THE EFFECT THAT ALL AMERICAN PRISONERS COULD BE RELEASED IF ALL THE TROOPS DEPART. YOU DID NOT ANSWER US IN THIS FORUM BUT ELSEWHERE YOUR OFFICIAL SPOKESMAN MADE IT CLEAR THAT THE MATTER WAS NOT A SIMPLE ONE OF PRISONER EXCHANGE FOR THE DEPARTURE OF TROOPS. YOU MADE IT CLEAR, IN FACT, THAT THERE WERE ADDITIONAL CONDITIONS OF A POLITICAL NATURE WHICH WOULD HAVE TO BE MET BEFORE ANY PRISONERS WERE RETURNED. FOR EXAMPLE, YOU INDICATED THAT YOU WOULD SIMULTANEOUSLY REQUIRE SWEEPING CHANGES IN THE GOVERNMENT OF THE REPUBLIC OF VIETNAM WHICH WOULD BE INCONSISTENT WITH THE RIGHT OF SELF-DETERMINATION FOR THE PEOPLE OF SOUTH VIETNAM. IS THIS YOUR POSITION STILL? ARE THERE ADDITIONAL CONDITIONS? END QUOTE.

REGARDS.

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